

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARK ALSTON,)	CASE NO. 1:07CV02284
)	
Petitioner,)	
)	
v.)	MAGISTRATE JUDGE
)	NANCY A. VECCHIARELLI
ED VOORHIES, Warden,)	
)	
Respondent.)	<u>ORDER</u>

Petitioner has filed several motions requesting transcripts and other records related to his state court conviction. (Doc. Nos. 3, 5, 6, 11.) For the following reasons, Petitioner's motions (Doc. Nos. 3, 5, 6, 11) are **GRANTED in part** and **DENIED in part**.

Petitioner seeks the following documents: (1) indictment; (2) pretrial hearings; (3) trial proceedings (voir dire, trial, closing arguments, instructions); (4) sentencing and judgment of conviction; (5) all exhibits; and (6) all briefs, decisions, and entries filed in connection with the appeal of the judgment. (Doc. No. 6 at 2.) **Respondent is ordered to file the requested documents as attachments to the return of writ. With the exception of the trial transcript, Respondent is further ordered to serve these attachments on Petitioner along with service of the return of writ.** Thus, Petitioner's request for the documents other than the trial transcript is **GRANTED**.

To the extent Petitioner seeks the trial transcript, the motion is **DENIED** at this time. If Petitioner still seeks a copy of the trial transcript after Respondent files a return of writ,

Petitioner may file another motion requesting it. However, the Court will not entertain a request for an entire trial transcript absent a showing of necessity. **Petitioner must demonstrate a particularized need for the transcript – that is, Petitioner must explain with sufficient specificity, why the transcript is necessary to his claims and/or to his reply to Respondent’s arguments.**

For the foregoing reasons, Petitioner’s motions (Doc. Nos. 3, 5, 6, 11) are **GRANTED in part** and **DENIED in part**.

IT IS SO ORDERED.

s/ Nancy A. Vecchiarelli
United States Magistrate Judge

Date: December 5, 2007